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VIA FACSIMILE

Michael A. Albert, Esq.
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600 Atlantic Avenue
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Re: **Diomed, Inc. v. Vascular Solutions, Inc.**
Civil File No. 04-10444 RGS

Dear Mr. Albert:

Pursuant to the Court's order, below is a list of the claim terms and interpretations Vascular Solutions believes may potentially be in dispute. We reserve our right to dispute Diomed's interpretation of any other claim terms.

Claim 9:

(a) "laser energy." A "laser" is a "device that is capable of emitting a very intense, narrow, parallel beam of highly monochromatic and coherent light (or other electromagnetic radiation)." The term "laser energy" thus means the energy of the laser beam.

(b) "placing said laser emitting section of said emitting means into intraluminal contact with the blood vessel."

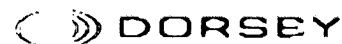
"Placing" means to put or set in a particular place, position, or situation.

The "laser emitting section" refers to the uncoated tip of the fiber optic line from which the laser energy is emitted.

"Intraluminal contact with the blood vessel" means physical contact by the uncoated tip of the fiber optic line with the blood vessel wall from within the blood vessel.

(c) "emitting said laser energy into the blood vessel . . . thereby decreasing the diameter of said blood vessel"

This phrase means delivery of the laser energy to the interior blood vessel wall via "intraluminal contact" (with the uncoated tip of the fiber optic line in physical contact with the blood vessel wall), to decrease the diameter of the vein.



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Claims 10 and 21: "emptying the blood vessel"

"Empty" means containing nothing, and "emptying" means the act of making empty.

Claim 19: "wherein said laser energy is delivered in bursts."

This phrase means the laser energy is delivered in sudden, intense, and intermittent spurts, or "bursts," as opposed to steadily and continuously.

Very truly yours,


J. Thomas Vitt

JTV/kmh

cc: Doak C. Procter, IV, Esq.
Alexandra Stevens, Esq.
Seth Wilson, Esq.